

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOLITA FORD,)
)
)
Plaintiff,)
)
v.) **Civil Action No. 15-13748-DJC**
)
MCDONALD'S,)
)
Defendants.)
)

ORDER

CASPER, J.

April 27, 2016

Lolita Ford initiated this *pro se* action against McDonald's by filing a complaint accompanied by a motion to proceed *in forma pauperis*. Plaintiff also filed a motion for hearing. By Memorandum and Order dated March 16, 2016, the motion to proceed *in forma pauperis* was granted and plaintiff was directed to either show cause why this action should not be dismissed or file an amended complaint. The Order explained, among other things, that this Court is without subject matter jurisdiction over plaintiff's tort claim for the recovery of game winnings to which the plaintiff claims an entitlement.

The Court's records indicate that Ford has not filed a response to the Court's Memorandum and Order and the time for doing so has expired. Under Federal Rule of Civil Procedure 41(b), a court may dismiss a claim "for failure of the plaintiff to prosecute or to comply with these rules or any order of the court." See Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962). This authority flows from a Court's inherent power to control its docket, prevent undue delays in the disposition of pending cases, and avoid congested court calendars. Id. at 629-31.

Based on the foregoing, it is hereby Ordered that:

- 1) The complaint is dismissed without prejudice pursuant to Rule 41(b) for failure to follow an order of the Court; and
- 2) The Clerk shall enter a separate order of dismissal.

SO ORDERED.

/s/ Denise J. Casper
Denise J. Casper
United States District Judge